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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/629,569	07/31/2000	Kenneth L. Stanwood	ENS-015-PAP	5412

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EXAMINER

LY, ANH VU H

ART UNIT

PAPER NUMBER

2667

*[Handwritten number 8]*

DATE MAILED: 11/24/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/629,569

**Applicant(s)**

STANWOOD, KENNETH L.

**Examiner**

Anh-Vu H Ly

**Art Unit**

2667

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 July 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.  
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4-6. 6) ☐ Other: \_\_\_\_.

## DETAILED ACTION

### *Drawings*

1. Figures 1-3 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-15 are rejected under 35 U.S.C. 102(b) as being anticipated by Hassan et al (US Patent No. 5,822,311). Hereinafter, referred to as Hassan.

With respect to claims 1-2 and 9, Hassan discloses (col. 4, line 66 – col. 5, line 10 and Fig. 4) that in step 102, the mobile unit then transmits on the uplink RACH channel (herein, the mobile unit has already waited for the new access opportunity, which transmitting RACH bursts in the uplink RACH channel) one or more RACH bursts, which preferably include information such as coded message data, which includes information and redundancy bits, coded frame information identifying a predicted frame on which the mobile unit desires to transmit (after a random number of frames), and coded slot information identifying a predicted slot on which the mobile unit desires to transmit (after a random number of slots). In step 104, the satellite or the base station in Fig. 1 calculates the time adjustment (sending a Tx delay time data value to the

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subscriber unit for communication time synchronization) necessary from the coded frame information and coded slot information using any suitable method for calculating time adjustment (scanning and acquiring the access burst message from a subscriber unit). The limitations “returning to step (a) if the new access opportunity has expired, else returning to step (b)” are inherent to Hassan. Hassan discloses (col. 3, lines 6-10) that if the RACH channel is idle, a mobile unit desiring access sends access data to the base station or the satellite. Herein, if the time slots for carrying RACH bursts within the RACH channel are occupied or used by other mobile units (returning to step (a) if the new access opportunity has expired), then the desired mobile unit must wait for the next time slots in the next RACH channel for carrying information to the base station. As stated in the above rejections, in step 104, the satellite or the base station in Fig. 1 calculates the time adjustment necessary from the coded frame information and coded slot information using any suitable method for calculating time adjustment. Herein, the satellite or the base station continuously monitors the RACH bursts with the current RACH channel for processing (returning to step (b) if new access opportunity has not expired).

With respect to claims 3 and 10, Hassan discloses (col. 4, line 66 – col. 5, line 10 and Fig. 4) that in step 102, the mobile unit then transmits on the uplink RACH channel one or more RACH bursts, which preferably include information such as coded message data, which includes information and redundancy bits, coded frame information identifying a predicted frame on which the mobile unit desires to transmit and coded slot information identifying a predicted slot (comprising a send time of the subscriber unit) on which the mobile unit desires to transmit.

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With respect to claims 4 and 11, Hassan discloses (col. 3, lines 6-10) that if the RACH channel is idle, a mobile unit desiring access sends access data, such as the mobile's identification number (including an identification data associated with the subscriber unit), call established cause, and the desired telephone number, on the RACH to the base station or the satellite.

With respect to claims 5, 7, 12, and 14, Hassan discloses in Figs. 1 and 3, broadband wireless communication systems for transmitting random access signals from a mobile unit to a satellite or other control station (see Abstract) (wherein the communication system is a broadband wireless communication system and a satellite communication system).

With respect to claims 6, 8, 13, and 15, Hassan discloses in Fig. 1, the base station includes a control and processing unit 130, which is connected to the MSC 140, which in turn is connected to the PSTN network (communication system is a cable modem communication system and a cellular telephone communication system).

### ***Conclusion***

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Jurgensen et al (US Patent No. 6,574,212) discloses transmission of RABs with at least one message part.

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***Conclusion***

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anh-Vu H Ly whose telephone number is 703-306-5675. The examiner can normally be reached on Monday-Friday 7:00am - 4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chi Pham can be reached on 703-305-4378. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9314.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-4750.

avl

  
CHI PHAM  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600 11/19/07